REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of October 16, 2007.

Reconsideration of the Application is requested.

THE OFFICE ACTION

Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Salim (U.S. Patent No. 6,628,653) in view of Moriwaki (U.S. Patent Application Publication No. 2003/0002506) and further modified by Shirakawa (U.S. Patent Application Publication No. 2005/0086353).

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Salim (U.S. Patent No. 6,628,653) in view of Moriwaki (U.S. Patent Application Publication No. 2003/0002506) and Shirakawa (U.S. Patent Application Publication No. 2005/0086353), and further in view of Mizuhara (U.S. Patent Application Publication No. 2002/0012348).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Salim (U.S. Patent No. 6,628,653) in view of Shirakawa (U.S. Patent Application Publication No. 2005/0086353).

Claims Distinguish Over Cited Prior Art

Claim 1 calls for among other elements: a packet information extraction portion, which extracts from a packet for identification a prescribed range of fields including at least one identifying information item which identifies the packet type; a packet judgment portion, which judges the packet type based on whether the identifying information item in a prescribed position among the extracted fields includes one of a type or a length identifier.

Salim is directed to a packet processing apparatus comprising a programmable hardware discriminator for receiving incoming packets and selecting bits from _any_ part of the incoming packets, a decision table for storing information relating to how the packets are to be processed, and the packet handler for processing the packets based on a comparison of bits to the decision table. (Abstract). Therefore, because Salim describes selecting bits from _any_ part of the incoming packets, Salim does not describe or suggest extracting a _prescribed_ range of fields as called for

5

in claim 1. If the Examiner maintains this ground of rejection of claim 1, Applicants respectfully request the Examiner point out where exactly Salim describes selecting and extracting a particular range of fields. Moreover, Salim does not describe or suggest that the judgment is made based on whether the information item includes a type or a length of a packet or not.

Shirakawa describes a digest generation unit 101, a packet processing device 102, and a packet transmission unit 103. A packet that arrives at the packet processing device is first entered into the digest generation unit 101. The digest generation unit 101 refers to a header portion of the entered packet, extracts a prescribed plurality of bit sequences from the header portion, and carries out a processing for generating a digest information of that packet by applying a pattern matching. (Para. 39.) The digest information is information indicating a packet type which is obtained by referring to a prescribed position in the *header portion* of each packet. (Para. 41.) Therefore, Shirakawa extracts and judges the packet type based on the information contained in a prescribed position *in the header portion*. Shirakawa does not describe or suggest extracting a prescribed number of fields from the packet and/or seeking the information item in a prescribed position with an objective of generating a header portion. The packet in Shirakawa arrives with the header portion already generated. In contrast, claim 1 calls for the header to be generated based on the information item contained in a prescribed location in the prescribed range of fields extracted *from the packet* and not from the header. Moreover, Shirakawa does not describe or suggest judging the packet type based on whether the information item in a prescribed position includes type or length information about the packet or not.

Moriwaki does not alleviate the deficiencies of Salim and/or Shirakawa.

In conclusion, Salim, Moriwaki, or Shirakawa, taken singularly or in combination, does not describe or suggest (1) extracting a prescribed range of fields from the packet; (2) an identifying information item in a prescribed position in the fields extracted from the packet; or (3) judging the packet type based on whether the identifying information item includes or does not include a type or a length identifier read in a prescribed position in the fields extracted from the packet. It is therefore respectfully submitted that **claim 1 and dependent claims 2-4** distinguish patentably and unobviously over Salim, Moriwaki, and Shirakawa, taken singularly or in combination.

Claim 5 calls for among other elements: a packet information extraction portion, which extracts from a packet for identification a prescribed range of fields including at least one identifying information item which identifies the packet type; and a packet judgment portion, which judges the packet type based on whether the identifying information item in a prescribed position among the extracted fields includes one of a type or a length identifier.

The arguments above regarding claim 1 are equally applicable here. Neither Salim, nor Shirakawa, taken singularly or in combination, describes or suggests (1) extracting a prescribed range of fields from the packet; (2) an identifying information item in a prescribed position in the fields extracted from the packet; or (3) judging the packet type based on whether the identifying information item read in the prescribed position in the fields extracted from the packet includes a type or a length identifier or not. It is therefore respectfully submitted that **claim 5** distinguishes patentably and unobviously over Salim and Shirakawa.

New claims 6-8 have been added to alternatively claim some of the Applicants aspects. It is respectfully submitted that claims 6-8 do not represent any new subject matter.
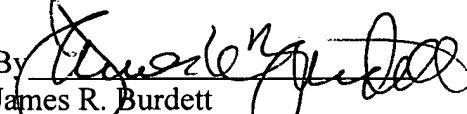
CONCLUSION

For at least the reasons detailed above, it is submitted that all claims remaining in the application **(Claims 1-8)** are in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

The undersigned attorney of record hereby authorizes charging any necessary fees, other than the issue fee, to Deposit Account No. 22-0261.

Dated:___1/16/2008_____   Respectfully submitted,

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